

03/01/02

DNAX RESEARCH, INC.

901 California Avenue
Palo Alto, CA 94304-1104ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
Washington, D. C. 20231

Honorable Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is the:
[] patent application, [] continuation patent
application, [X] divisional patent application of:**NOVEL USES OF MAMMALIAN OX2 PROTEIN AND
RELATED REAGENTS**

Inventors: Robert M. Hoek and Jonathon D. Sedgwick

Sir:

1. [X] This application claims priority from each of the following Application Nos./filing dates:
USSN 09/547,432, filed April 12, 2000, (will go abandoned on March 6, 2002)
Provisional Patent Application No. 60/129,124, filed April 13, 1999

2. RELATE BACK -- 35 U.S.C. 120

[X] Please amend the specification on page 1, line 2 by replacing the first paragraph with the following:

-- This application is a divisional application of copending USSN 09/547,432, filed April 12, 2000, which claims benefit from provisional patent application 60/129,124, filed April 13, 1999; each of which is incorporated herein by reference. --

3. ENCLOSED ARE:

- [X] Patent Application Cover Sheet, 1 page (unnumbered);
- [X] Specification, 25 pages (1-25);
- [X] 20 Claims, 3 pages (26-28);
- [X] Sequence Listing, 3 pages (29-31);
- [X] Abstract, 1 page (32);
- [X] Declaration and Power of Attorney, (2 pages), which is a copy from previous application, under 37 CFR 1.63(d), with Explanation/Cover Letter (1 page);
- [X] Sequence Submission (2 pages), with paper print out of diskette (4 pages), which is a copy from previous application, under 37CFR 1.821(e), with Explanation/Cover Letter (1 page);
- [X] please refer to parent application for computer readable sequence listing, or [] with a new copy of the diskette recorded on _____;
- [X] Information Disclosure Statement;
- [X] Return postcard.

"Express Mail" Label No.: EL 789 848 749 USDate of Deposit: March 1, 2002Atty. Docket No.: DX0936KB

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Box: Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

By

Lois E. Miller

March 1, 20021c996 U.S. PTO
10/086972

03/01/02

Filed: March 1, 2002, Express Mail Label No. EL 789 848 749 US

Hoek & Sedgwick, et al, U.S.S.N.: to be assigned

Atty. Docket No.: DX0936KB

Page 1 of 2

4. MISCELLANEOUS

☒ A petition to extend time to respond in the above-identified prior application is enclosed.

☐ Please enter the enclosed preliminary amendment.

☐ Please cancel claim(s) _____.

☐ Other: _____.

5. FEE CALCULATION (37 CFR 1.16)

The filing fee has been calculated as shown below:

FOR:	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	20 -20=	0 *
INDEP CLAIMS	3 -3 =	0*
[] MULTIPLE DEPENDENT CLAIM PRESENTED		
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.		

Other Than a Small Entity

RATE	FEE
	\$ 740.00
x 18=	\$ 0.00
x 84=	\$ 0.00
+270=	\$ 0.00
TOTAL	\$740.00

Please charge DNAX Deposit Account No. 04-1239 as follows:

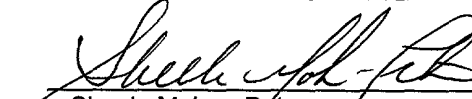
- ☒ Filing fee
- ☒ Fee for a two month extension of time: \$400.00
- ☒ Any additional fees associated with this paper or during the pendency of this application

Total (filing, claim and extension fees): **\$1140.00**

~~-two-~~ copies of this sheet are enclosed.

Date: March 1, 2002

Respectfully submitted,
DNAX RESEARCH INSTITUTE


Sheela Mohan-Peterson
Reg. No. 41,201

DNAX Research, Inc.
901 California Avenue
Palo Alto, CA 94304-1104
Telephone (650) 496-6400
Facsimile (650) 496-1200

Express Mail Label No. **EL 789 848 749 US**

PATENT

Date of Deposit is March 1, 2002

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box: Patent Application, Washington, D. C. 20231.

Atty. Docket No.
DX0936KB

CN 028008

By:

Lois E. Miller

date

3-1-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HOEK & SEDGWICK

Serial No.: to be assigned

Filed: March 1, 2002

For: NOVEL USES OF MAMMALIAN OX2
PROTEIN AND RELATED REAGENTS

Examiner: not assigned

Art Unit: not assigned

USE OF PRIOR SEQUENCE SUBMISSION
UNDER 37 CFR §1.821(e)

Palo Alto, California 94304

March 1, 2002

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

Sir:

The attached copy of the Sequence Submission is for the patent application submitted herewith. The computer readable form in this application is equivalent to with that filed in parent application USSN 09/547,432. In accordance with 37 CFR 1.821(e), please use the computer readable form submitted in that application on April 12, 2000, as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary changes in application number and filing date for computer readable form that will be used for the instant application.

Respectfully submitted,

Dated: March 1, 2002

By:

Sheela Mohan-Peterson
Sheela Mohan-Peterson
Attorney for Applicants
Reg. No. 41,201

DNAX Research Institute
901 California Avenue
Palo Alto, California 94304-1104
Tel: (650) 496-6400
Fax: (650) 496-1200

Express Mail Label No. . 367 648 268 US

Date of Deposit is April 12, 2000

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box: Patent Application, Washington, D. C. 20231.

By:

Lois E. Miller,

date

PATENT/DX0936K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert M. HOEK and
Jonathan D. SEDGWICK

Serial No.: not yet assigned

Filed: April 12, 2000

For: NOVEL USES OF MAMMALIAN OX2
PROTEIN AND RELATED
REAGENTS

Examiner: not assigned

Art Unit: not assigned

COMPUTER READABLE SEQUENCE
SUBMISSION

Palo Alto, California 94304

April 12, 2000

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

Sir:

COMPLIANCE WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

In order to comply with requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures, for the above-identified application, in accordance with 37 CFR § 1.821 - 1.825, Applicants hereby submit: (1) a write-protected diskette containing a computer-readable submission for the "Sequence Listing"; and (2) a "Sequence Listing" paper copy of the contents of the diskette.

REMARKS

Enclosed is a write protected floppy diskette with the sequence listing generated by the Patent Office's PATENTIN program. The Diskette should comply with the requirements of

37 CFR §1.824 and is IBM PC compatible with a PC-DOS/MS-DOS operating system. If the diskette has been damaged, please call Applicants and a replacement diskette will be provided. A hard paper copy printout of the diskette is attached thereto.

5 I hereby state the informational contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively, are believed to be the same. This submission introduces no new matter, since enclosed sequences are the same as sequences which
10 were submitted in priority documents.

Applicants have invested over one hour of significant labor and care in preparing the present submission. The enclosed items are a bona fide effort to bring the present application into full compliance with the rules for sequence submissions.
15 Should this not be the case, Applicants respectfully request notification of specific deficiencies and an opportunity for remedy, as described in 37 CFR 1.135(c).

Applicants believe that no fees are required; however, if
20 any fees are required by the present Response, the Commissioner is authorized to charge any fees or credit any overpayment to DNAX Research Institute Deposit Account No. 04-1239.

Respectfully submitted,

25 Dated: April 12, 2000

By: Edwin P. Ching
Edwin P. Ching
Attorney for Applicants
Reg. No. 34,090

30 enclosures and attachments:
one write-protected diskette (CRM)
paper copy of contents of diskette (4 pages)

35 DNAX Research Institute
901 California Avenue
Palo Alto, California 94304-1104
40 Tel: (650) 852-9196
Fax: (650) 496-1200

For 3 1/2" Disk

Pull Tab to Open

AVERY™
Disk Mailer

Express Mail Label No. EL 367 648 268 US
Date of Deposit is April 12, 2000
I hereby certify that this is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the date
indicated above and is addressed to the Assistant
Commissioner for Patents, Box: Patent Application,
Washington, D. C. 20231.

By: Lois E. Miller 4-12-00
Lois E. Miller, date

PATENT/DX0936K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert M. HOEK and
Jonathan D. SEDGWICK

Serial No.: not yet assigned

Filed: April 12, 2000

For: NOVEL USES OF MAMMALIAN OX2
PROTEIN AND RELATED
REAGENTS

Examiner: not assigned

Art Unit: not assigned

COMPUTER READABLE SEQUENCE
SUBMISSION

Palo Alto, California 94304

April 12, 2000

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

CONFIDENTIAL
PC COMPATIBLE IBM MS/DOS

Atty. Docket No.: DX0936K
NOVEL USES OF MAMMALIAN OX2
PROTEIN AND RELATED REAGENTS
HOEK & SEDGWICK
USSN: to be assigned
filed: April 12, 2000
Disk recordation date:
April 12, 2000